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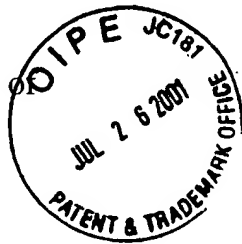
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JUL 27 2001

In re Patent Application of

LEREBOUR et al.

Serial No. 09/782,520

Filed: February 14, 2001



Atty. Ref.: 2365-28

Group: 1615

Examiner:

For: USE OF PARTICULAR FATTY SUBSTANCES WHICH
MAKE IT POSSIBLE TO MODIFY THE
PHYSICOCHEMICAL PROPERTIES OF THE SKIN
AND/OR THE MUCOUS MEMBRANES AS AGENTS
PREVENTING OR REDUCING THE ADHESION OF
MICROORGANISMS TO THE LATTER

* * * * *

July 26, 2001

Assistant Commissioner for Patents
Washington, DC 20231

Sir:

INFORMATION DISCLOSURE STATEMENT

Listed on accompanying Form PTO-1449 are documents that may be considered material to the examination of this application, in compliance with the duty of disclosure requirements of 37 C.F.R. §§ 1.56, 1.97 and 1.98.

Where the publication date of a listed document does not provide a month of publication, the year of publication of the listed document is sufficiently earlier than the effective U.S. filing date and any foreign priority date so that the month of publication is not in issue. Applicants have listed publication dates on the attached PTO-1449 based on information presently available to the undersigned. However, the listed publication dates should not be construed as an admission that the information was actually published on the date indicated.

Applicants reserve the right to establish the patentability of the claimed invention over any of the information provided herewith, and/or to prove that this information may not be prior art, and/or to prove that this information may not be enabling for the teachings purportedly offered.

This statement should not be construed as a representation that a search has been made, or that information more material to the examination of the present patent application does not exist. The Examiner is specifically requested not to rely solely on the material submitted herewith. It is further understood that the Examiner will consider information that had been cited by or submitted to the U.S. Patent and Trademark Office in a prior application relied on under 35 U.S.C. § 120. 1138 OG 37, 38 (May 19, 1992).

Applicants have checked the appropriate boxes below.

1. ☒ This Information Disclosure Statement is being filed within three months of the U.S. filing date OR before the mailing date of a first Office Action on the merits. No statement under 37 C.F.R. § 1.97(e) or fee is required. In the event, a first Office Action has been mailed prior to filing of the present Information Disclosure Statement, the Office is requested to treat the present paper s a submission under 37 C.F.R. § 1.97(c) and charge the undersigned's Deposit Account No. 14-1140 for the fee required by 37 C.F.R. § 1.17(p). The present paper is submitted in duplicate for this purpose.

2. ☐ This Information Disclosure Statement is being filed more than three months after the U.S. filing date AND after the mailing date of the first Office Action on the merits, but before the mailing date of a Final Rejection or Notice of Allowance.

- a. ☐ I hereby state that each item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement. 37 C.F.R. § 1.97(e)(1).
- b. ☐ I hereby state that no item of information in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to my knowledge after making reasonable inquiry, no item of information contained in this Information Disclosure Statement was known to any individual designated in 37 C.F.R. § 1.56(c) more than three months prior to the filing of this Information Disclosure Statement. 37 C.F.R. § 1.97(e)(2).

- c. ☐ Attached is our Check No. in the amount of \$ in payment of the fee under 37 C.F.R. § 1.17(p).
3. ☐ This Information Disclosure Statement is being filed more than three months after the U.S. filing date and after the mailing date of a Final Rejection or Notice of Allowance, but before payment of the Issue Fee. It is hereby requested that the Information Disclosure Statement be considered. Attached is our Check No. in the amount of \$ in payment of the fee under 37 C.F.R. § 1.17(i).
- a. ☐ I hereby state that each item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement. 37 C.F.R. § 1.97(e)(1).
- b. ☐ I hereby state that no item of information in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to my knowledge after making reasonable inquiry, no item of information contained in this Information Disclosure Statement was known to any individual designated in 37 C.F.R. § 1.56(c) more than three months prior to the filing of this Information Disclosure Statement. 37 C.F.R. § 1.97(e)(2).
4. ☐ Relevance of the non-English language document(s) is discussed in the present specification.
5. ☒ The document(s) was/were cited in a corresponding foreign application. An English language version of the foreign search report is attached for the Examiner's information.
6. ☒ A review of the contents of the non-English language document(s) appears below:
- U.S. patent Application No. 09/782,520 corresponding to French Application No. 0001842 Cupferman et al.

DE 196 34 021 A (Beiersdorf AG) This document describes the use of one or

several compounds selected in the group of glycolipids for their antiadhesive properties against microorganisms, virus, parasites and protozoa. These compounds are made of saccharide, i.e. carbohydrate units.

EP 0 875 239 A (Beiersdorf AG) This document describes also the use of compounds made of carbohydrate units for their antiadhesive properties.

DE 196 43 585 A (Beiersdorf AG) This document discloses the use of one or several compounds selected in the group of sphingolipids for their antiadhesive properties against microorganisms.

DE 195 03 423 A (Beiersdorf AG) This document describes the use of compounds made of carbohydrate units for their antiadhesive properties against microorganisms.

EP 0 697 213 A (Beiersdorf AG) This document discloses a method for controlling external odors of body in order to reduce the quantity of corynebacteria on the skin, method comprising the use of lauric acid and at least an other fatty acid.

EP 0315 912 (Henkel KGAA) discloses the use of compounds for their antiseborrheic action.

DE 43 30 664 (BEIERSDORF AG) discloses an emulsion made of oils and vegetable fat for treating or preventing inflammatory or immune diseases, diabetes, alcoholism or grazes.

FR 2 768 925 (SEDERMA SA) describes the use of a product composed of ivy and sunflower extracts against chemical environmental assaults on the skin.

DE 196 34 959 (AULBACH Karl) describes a composition used as a healing cream, the active ingredient of this composition being tea, camomile and marigold oils.

DE 41 34 137 (SCHARFE) discloses a bioactive lotion for scalp made of a A complex (alcohol, water, allantoin) and a B complex (comprising squalen and a vegetable oil). This lotion induces blood vessels dilation.

FR 2 689 011 (GILMAN, MAREK & SKRZYPCZAK) discloses a composition made of three essential aromatherapeutic oils, of a vegetable dyeing and a least a vegetable oil for the treatment of lips.

CH 688 787 (LINSIG et RICHLI) describes a combination of natural ether oil and natural essence for their biological, physical, psychological properties on living being.

7. ☐ The Examiner's attention is directed to co-pending U.S. Patent Application No. , filed , (copy attached) which is directed to related technical subject matter. The identification of this U.S. Patent Application is not to be construed as a waiver of secrecy as to that application now or upon issuance of the present application as a patent. The Examiner is respectfully requested to consider the cited application and the art cited therein during examination.

8. ☐ Copies of the documents were cited by or submitted to the Office in Application No. , filed , which is relied upon for an earlier filing date under 35 U.S.C. § 120. Thus, copies of these documents are not attached. 37 C.F.R. § 1.98(d).

It is respectfully requested that the Examiner initial and return a copy of the enclosed PTO-1449, and to indicate in the official file wrapper of this patent application that the documents have been considered.

The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 14-1140 referencing docket number 2365-28.

LEREBOUR et al.

No. 09/782,520

Respectfully submitted,

NIXON & VANDERHYE P.C.

By: _____



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